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FACSIMILE TRANSMITTAL FORM

Group Art Unit 3734  
TO: Examiner Katherine Marie Dowe

DATE: May 9, 2007

COMPANY: United States Patent and Trademark Office

FACSIMILE NO.: 571-273-8300

FROM: Richard J. Godlewski

NO. OF PAGES 8  
(including this cover sheet).

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In re patent application of: Hartley et al.

Applicant Docket No.: PA-5356-RFB Group Art Unit 3734

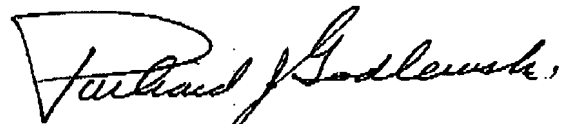
Serial No.: 10/726,962 Examiner: Katherine Marie Dowe

Filed: December 3, 2003

TITLE: DEVICE AND METHOD FOR TREATING THORACIC AORTA

Please enter and make of record the enclosed amendment to application Serial No. 10/726,962. The following documents are enclosed with this transmission:

Transmittal letter (2 pages)  
Response to Election / Restriction Requirement and Amendment (5 pages)



Richard J. Godlewski  
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812-330-1824

Serial No. 10/726,962

PATENT

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CERTIFICATION OF FACSIMILE TRANSMISSION	
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<p><u>May 9 2007</u> Date</p>	<p>Pamm Garwood (Typed or printed name of person signing certification) <u>Pamm Garwood</u> Signature</p>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Hartley et al.

Applicant Docket No.: PA-5356-RFB Group Art Unit 3734

Serial No.: 10/726,962 Examiner: Katherine Marie Dowe

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TITLE: DEVICE AND METHOD FOR TREATING THORACIC AORTA

MAIL STOP AMENDMENT  
COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

TRANSMITTAL OF RESPONSE TO ELECTION / RESTRICTION  
REQUIREMENT AND AMENDMENT

SIR:

Please make of record the following papers relating to the above-identified application:

Response to Election / Restriction Requirement and Amendment (5 pages)

FEE FOR CLAIMS

	Claims Remaining After Amendment	Highest Number Previously Paid For	No. Extra	Rate	Calculations
Total No. of Claims	13	27	0	x \$ 50 =	\$ 0.00
Independent Claims	2	4	0	x \$200 =	\$ 0.00
Multiple Dependent Claim(s), if applicable				+ \$360 =	N/A
				TOTAL FEE:	\$ 0.00

Serial No. 10/726,962

PATENT

No additional fee is due at this time. In the event of improper payment of a required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 13-2528 as required to correct the error.

Please address all correspondence to:

Richard J. Godlewski  
Patent Attorney  
P.O. Box 2269  
Bloomington, IN 47402-2269  
812-330-1824

Respectfully,

Date:

May 9, 2007



Attorney for Applicants  
Richard J. Godlewski  
Reg. No. 30,056

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Serial No. 10/726,962

PATENT

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<p><u>May 9, 2007</u></p> <p>Date</p>	<p>Pamm Garwood</p> <p>(Typed or printed name of person signing certification)</p> <p><u>Pamm Garwood</u></p> <p>Signature</p>

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: David Ernest Hartley; Ian Nixon; Peter John Mossop

Atty. Docket No.: PA-5356-RFB

Customer No.: 9896

Serial No.: 10/726,962

Group Art Unit: 3734

Filed: December 3, 2003

Examiner: Katherine Marie Dowe

Title: DEVICE AND METHOD FOR TREATING THORACIC AORTA

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

SIR:

**RESPONSE TO ELECTION AND/OR RESTRICTION REQUIREMENT AND  
AMENDMENT**

This is in response to the Office action dated April 11, 2007, in which claims 1 to 27 are pending and are subject to restriction and/or election requirement. Applicants traverse such restriction requirement and provisionally elect claims 1 to 5 and 19 to 27, which are drawn to "A Prosthesis Mounted on a Deployment Device" and "A Prosthesis"

Applicants elect the species disclosed in Figure 1. Claims 1 to 5 and 19 to 27 read on Figure 1.

The Examiner has kindly indicated that if the species designated as IV (Claims 19 to 27) in the Detailed Action is elected then she would also examine the species designated I (Claims 1 to 5). Hence both these sets of claims are elected.

By this Amendment, non-elected claims 6 to 18 are being canceled without prejudice. Applicants reserve the right to file claims 6 to 18 in a divisional application.

At the same time amendments have been made to the claims to more particularly define the invention and to correct some terminological inaccuracies.

Serial No. 10/726,962

PATENT

Currently amended claim 19 is amended to also include the subject matter of claim 24 and consequentially claim 24 has been cancelled.

Claims 25 and 27 are amended to more particularly define the invention claimed in those claims.

The examination and consideration of this application is respectfully requested, and it is further requested that the application be passed to issue.

Although the foregoing discussion is believed to be dispositive of the issues in this case, applicants' attorney requests a telephone interview with the Examiner to further discuss any unresolved issues remaining after the Examiner's consideration of this response and amendment.

Respectfully submitted,

David Ernest Hartley  
Ian Nixon  
Peter John Mossop

Date:

May 9, 2007

By

Richard J. Godlewski  
Richard J. Godlewski, Attorney  
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